

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

THE MIDDLE

District of

ALABAMA NORTHERN DIVISION

Deloise Price,  
Plaintiff,

SUMMONS IN A CIVIL ACTION

V.

Wal-Mart Stores, Inc; And Extreme Performance,  
Inc.,  
Defendants.

CASE NUMBER: 2:06CV721-MHT

TO: (Name and address of Defendant)

Extreme Performance, Inc.  
4398 Corporate Center Drive  
Los Alamitos, CA 90720-2537

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Brian P. Strength  
Cochran, Cherry, Givens & Smith, P.C.  
P.O. Box 830419  
Tuskegee, AL 36083

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

*Debra P. Hackett*

*9/29/06*

CLERK

*William C. Lee*

DATE

(By) DEPUTY CLERK

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**RETURN OF SERVICE**

Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE
NAME OF SERVER ( <i>PRINT</i> )	TITLE

*Check one box below to indicate appropriate method of service*

- ☐ Served personally upon the defendant. Place where served:
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  
Name of person with whom the summons and complaint were left:
- ☐ Returned unexecuted:
- ☐ Other (specify):

**STATEMENT OF SERVICE FEES**

TRAVEL	SERVICES	TOTAL \$0.00
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**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on \_\_\_\_\_  
Date

\_\_\_\_\_  
*Signature of Server*

\_\_\_\_\_  
*Address of Server*

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.